

Date: January 27, 2015

To: The Honorable Mayor and City Council

From: Tanya Wilson-Séjour, AICP, Planning Manager, Community Planning & Development

Re: Conditional Use Permit Requesting 58 Bonus Units from the NRO Pool for the properties generally located on the northwest corner of the intersection of N.E. 135<sup>th</sup> Street and N.E. 6<sup>th</sup> Avenue, with folio numbers: 06-2219-004-0010, 06-2219-004-0020, 06-2219-004-0120, 06-2219-004-0130, 06-2219-004-0140, and 06-2219-004-0150.

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING APPROVAL OF THE CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING FIFTY-EIGHT (58) BONUS UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT PRIMARY RESIDENTIAL POOL OF TWO THOUSAND TWO HUNDRED (2,200) FLOATING RESIDENTIAL UNITS FOR A PROPOSED DEVELOPMENT GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF NORTHEAST 135TH STREET AND NORTHEAST 6TH AVENUE, SITUATED WITHIN THE NRO DISTRICT, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

#### **RECOMMENDATION**

Staff requests that the City Council adopts the proposed resolution authorizing the approval of a conditional use permit transferring fifty-eight (58) bonus units from the Neighborhood Redevelopment Overlay (NRO) district primary residential pool of two thousand two hundred (2,200) floating residential units for the proposed development of the property generally located at the northwest corner of N.E. 135<sup>th</sup> Street and N.E. 6<sup>th</sup> Avenue.

#### **PLANNING COMMISSION RECOMMENDATION**

At its meeting on January 6, 2015, the Planning Commission (attended by Commissioners James, Ernst, Each, Castor, Seifried and Prevatel) reviewed and discussed the proposed resolution to authorize the approval of a conditional use permit transferring fifty-eight (58) bonus units from the Neighborhood Redevelopment Overlay (NRO) district primary residential pool of two thousand two hundred (2,200) floating residential units for the proposed development of the property generally located at the northwest corner of N.E. 135<sup>th</sup> Street and N.E. 6<sup>th</sup> Avenue. Mr.



Michael Wolf and Ms. Jennifer Warren of Pinnacle Housing Group, the applicant, provided a presentation and advised that the prior conditional use permit approved by City Council had expired and as such, they were back before Council to request an allocation of fifty-eight (58) bonus units. Additionally, the applicant highlighted the differences between their development proposal and the previous development approvals on the site, as well as the many amenities that the development will feature. They further clarified that the renderings they showed were solely conceptual and intended to give the Commission an idea as to the intensity and overall look of their proposal, but that the actual building will be far more aesthetically pleasing with modern architecture and with infusion of public art. They also reassured the Commission that, consistent with their track record, they will ensure that not only the development will incorporate sustainable/green building principles, but that every effort will be made to mitigate any potential adverse impacts on traffic, city services, and the neighborhood.

Following the staff report, the Commission engaged in a lengthy discussion about the proposed development, especially as to whether the housing development would be restricted to the elderly and would not include Section 8 renters. One commissioner expressed concerns about the poor architectural look of the renderings and lamented the decrease in height and density from the previous approval. After Commissioner Seifried recommended that there be a covered bus shelter in front of the site for the east-west bus route on N.E. 135<sup>th</sup> Street in anticipation of the Tri-Rail Station, **motion to approve** the item with said recommendation was made by Commissioner Prevatel and seconded by commissioner Castor. The proposed resolution passed unanimously.

### **PURPOSE & INTENT**

Policy 1.12.1 of the Comprehensive Plan established a primary pool of five thousand (5,000) floating residential units to encourage redevelopment in designated areas within the City. As such, the primary pool consists of two thousand two hundred (2,200) floating residential units set aside for use within the Neighborhood Redevelopment Overlay ("NRO") District ("Primary Pool"); one thousand eight hundred (1,800) floating residential units for the Central City District; and a secondary pool of one thousand (1,000) floating residential units for development outside the NRO District.



## The Subject Site



Additionally, Article 4, Section 4-204 of the City's Land Development Regulations ("LDRs"), provides that requests for residential density bonuses may be granted through a Conditional Use Permit approved by the City Council, in accordance with the requirements of Section 3-401 and Section 4-405 of the LDRs.

## BACKGROUND

The subject property is a vacant 1.65-acre site that is comprised of six (6) contiguous lots and is located at the northwest intersection of N.E. 135<sup>th</sup> Street and N.E. 6<sup>th</sup> Avenue. In 2013, the former applicant, Carfour Group, was granted multiple land use approvals by the City Council, which changed the land use designation of the property to High-Density Residential, rezoned it to R-6, Multi-Family District, and moved the NRO boundary to include all properties within the NRO District. In addition, the property was granted a Conditional Use Permit for the allocation of 138 additional bonus units as well as a bonus height of 35 feet, from the established NRO primary pool of two thousand two hundred (2200) floating units to build a 145-ft high, 191-unit multi-family residential development on the site.

However, no building permit was pulled within a year of the City Council approval and the conditional use permit has subsequently expired. The size of the property has since been reduced



from 2.12 to 1.65 acres. The new Applicant, Pinnacle Housing Group, LLC., with the consent of the owner of the subject properties, has filed a new Conditional Use Permit application with the Community Planning & Development Department, requesting that the City allocate fifty-eight (58) additional bonus residential units from the established NRO primary pool of available units in order to construct a 99-unit multi-family residential development on the subject property. The proposed seven-story development, which is to be called Verbena, will provide one-, two-, three- and four-bedroom units to families, as well as a myriad of on-site amenities, including a fitness facility, public arts, computer lab and playground.

Based on the current R-6 zoning and High-Density Residential land use, development on the subject site is allowed a density of 25 dwelling units per acre (du/ac) as of right, which could potentially yield a total number of forty-one (41) residential units on the site. As stated above, the subject property is located inside the City's NRO District, which, per Objective 1.12 of the Comprehensive Plan, is designated as an urban core *"to direct growth in a manner to achieve redevelopment, economic development, housing choice and multimodal transportation objectives..."* Per standards set forth in Section 4-405 of the LDRs, the applicant is applying for Green Building and Sustainability, Transit-Oriented Development (TOD), as well as Affordable/Workforce Housing density bonuses. The property consists of 71,684 sq. ft. or 1.65 acres in size and fronts on two streets. As such, the proposed development is eligible for a maximum density of 60 (du/ac) with bonus, which would allow a total of ninety-nine (99) residential units on the site. Since the Applicant can build forty-one (41) units as of right, the current request involves the allocation of fifty-eight (58) additional units from the existing NRO pool.

The proposed residential development will have the required Florida Green Building Certification with a designation of gold or higher, which provides a maximum density bonus of 25 du/ac. The development will also meet 4 of the 8 TOD bonus requirements by providing an easement for (1) a bus shelter on the west side of the site frontage on N.E. 6<sup>th</sup> Avenue; the applicant will work closely with Miami-Dade Transit to provide said bus shelter; (2) an internal bicycle and pedestrian circulation system; (3) provision of bicycle racks; and (4) provision of shower room for bicyclists. The TOD bonus provides a maximum density bonus of 3 du/ac. Finally, the development will have at least twenty-five (25) percent of the multi-family rental units as affordable units serving those in the community making sixty (60) percent or less of the Area Median Income, which provides for another bonus density 25 du/ac. Together the Green Building and Sustainability bonus, the TOD bonus, and the Affordable/Workforce Housing bonus qualifies the Applicant for a density bonus of 35 du/ac, amounting to a total maximum density bonus 60 du/ac.



Density bonus calculations pertaining to the proposed project are stated below:

<b>Project Site Density Bonus Summary</b>	
Land Use	High-Density Residential
Zoning	R-6, Multi-Family District
Maximum Density & Height Permitted	25 du/acre & 110 ft.
Total Maximum Green, TOD & Affordable Housing Bonus Permitted: 25 (Green Building) + 3 (TOD) + 25 (Affordable Housing)	Up to 35 du/ac
Subject Site area	1.65 acres
Maximum Number of Units Permitted on Subject Site by Right	$25 \times 1.65 = 41$ Units
Proposed Density for Subject Site with Bonus	<b>60 du/ac</b>
<b>Density Bonus Calculations</b>	
Maximum Bonus Density Eligible For: 60 du/ac; Site fronting on two (2) Streets with an area of 71,684 sq. ft., (between 35,000 and 80, 000 sq. ft.), maximum density per acre permitted with bonus for subject site is therefore capped at 60.	
<b><u>Maximum Units Permitted for Subject Site = 99 Units</u></b>	

## ANALYSIS

Article 3, Section 3-405 of the City's LDRs requires that all requests for Conditional Use approval demonstrate compliance with the following standards:

**1. The application is consistent with the comprehensive land use plan;**

The proposed conditional use request is consistent with the goals, objectives and policies of the Comprehensive Plan, specifically Objective 1.12 and Policy 1.12.1 that promotes redevelopment efforts within the NRO by allowing the transfer of units from the City's designated pool of bonus units to areas such as the subject site.

**2. The application is in compliance with the district regulations applicable to the proposed development, including the bonus provisions in section 4-405, if applicable;**

The proposed conditional use application is in compliance with the NRO District regulations and, as such, at 1.65 acres, the proposed development qualifies for the maximum density bonus of 60 du/ac, which could yield ninety-nine (99) residential units on the site.

**3. The application is consistent with the applicable development standards in these LDRs;**

Although a precise plan is not required with this application, the applicant has made it

clear that the proposed development will comply with all applicable development standards outlined in the LDR for the R-6 District and will submit the required plans at the time of the Development Review Committee (DRC) approval process.

- 4. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use or adequate mitigation is provided;**

The subject site is located at the corner of N.E. 135<sup>th</sup> Street and N.E. 6<sup>th</sup> Avenue. Both streets are classified as State owned (FDOT) arterial roads. The City's Transportation Master Plan indicates that the segment of N.E. 135<sup>th</sup> Street in proximity of the site is operating at a level of service (LOS) F. It should be noted that Policy 2A 1.1 of the City's Comprehensive Plan requires that all roadways in the City shall operate at or above LOS standard E. Additionally, the City of North Miami is designated as a Transportation Concurrency Exemption Area and Objective 2A.2 and Policy 2A.2.7 of the City Comprehensive Plan requires that the City actively pursue multimodal strategies to encourage a more pedestrian oriented environment that promotes walking, bicycling and public transit usage. With an anticipated increase in traffic generated from the site, staff believes that the proposed request would cause further decline in the roadway LOS and is therefore requiring that the applicant proposes multimodal transportation alternatives, such as bicycle racks, public transportation and carpooling to alleviate the added traffic anticipated from the site.

- 5. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.**

Staff believes the proposed mixed use development will greatly complement the surrounding neighborhood as it offers a wide range of housing choices and related amenities in an area, which is lacking in new residential facilities for low- and moderate-income families, namely the elderly who often have difficulties finding quality affordable housing within the City. Additionally per Section 4-405 of the LDRs, the site is subject to certain development restrictions governing the building, scale, setbacks and parking to ensure a compatible transition between the low-density single-family neighborhoods west of the subject site.

- 6. The parcel proposed for development is adequate in size and shape to accommodate all development features;**

At 1.65 acres and lying along two (2) major corridors, staff believes the subject parcel is suitable in size and shape to accommodate the proposed multi-family residential development.



- 7. The proposed use will not have an adverse impact on use, livability, value and development of adjacent properties;**

The proposed development will make way for the first major redevelopment project to occur along the N.E. 6<sup>th</sup> Avenue corridor in many years. As proposed, it is anticipated to greatly improve the image of the corridor, which has a large stock of mainly older apartment buildings. As such, efforts to improve the site are anticipated to have a positive impact on neighboring properties and enhance the aesthetics of the area.

- 8. The nature of the proposed development is not detrimental to the public health, safety and general welfare of the community;**

As proposed, the future development will provide new multifamily units and a mix of community facilities that will provide on-site amenities for future residents. As such, Staff believes the proposed development will support Goal 3A.1 of the Housing Element of the City's Comprehensive Plan, which aims "to ensure that housing in the City is decent, safe and sanitary to serve the needs of the City's present and future residents." The development will also help implement Policy 3B.2.6, which requires the City to "continue to expand options toward meeting the needs of the very low, low and moderate income population by developing, on an ongoing basis, model programs for providing safe and adequate affordable housing in the City." The proposed development will help fulfill a need for decent, quality low- and moderate-income housing within the City. It will be an asset to the community and will not adversely impact the public health, safety and general welfare of same.

- 9. The design of the use creates a form and function which enhances the community character of the immediate vicinity of the parcel proposed for development; and**

Per Section 5-805 of the City's LDRs, all new construction is required to incorporate LEED standards or the City's alternative green standards as part of its new development in order to support the City's environmental initiatives. The proposed development is to be Florida Green Building Certified with energy saving fixtures, as well as urban design elements, including, but not limited to, public art and landscaped open space, which could be the catalyst for the redevelopment of N.E. 6<sup>th</sup> Avenue.

- 10. Flexibility in regard to development standards is justified by the benefits to community character and the immediate vicinity of the parcel proposed for development.**

The applicant has expressed a desire for bonus units in order to create not just a viable project that maximizes the use of the site, but, more importantly, provide a wide range

of housing choices to the low- and moderate-income families, of the City, especially the elderly. In that regard, staff believes the flexibility in standards is necessary for the successful development of the site.

### CONCLUSION

Based on our analysis, staff is of the opinion that the proposed conditional use application is consistent with the requirements of Section 3-405 of the City's Land Development regulations and is compatible with the future land use goals objectives and policies identified in the City's adopted Comprehensive Plan. Therefore the Community Planning and Development Department request that the City Council adopts the attached resolution, approving a transfer of fifty-eight (58) bonus units from the Neighborhood Redevelopment Overlay (NRO) District Primary Residential Pool of two thousand two hundred (2,200) floating residential units, subject to the following conditions:

1. That the applicant shall consolidate all 6 lots in the proposed development through a unity of title. The applicant will also furnish a copy of the recorded document to the Director of Community Planning & Development once the instrument has been recorded with the County.
2. That the applicant submits final precise plans and applicable landscape plans to the City's Community Planning & Development Department, Development Review Committee (DRC) for review and approval prior to obtaining building permits.
3. That the applicant shall record a Restrictive Covenant against the property for the purpose of maintaining the affordable/workforce housing for a term not less than twenty (20) years. The applicant shall also give first preference to North Miami residents by selecting clients from the City's Housing Division's current Neighborhood Stabilization Program (NSP) Rental Waiting list.
4. That the applicant shall comply with all conditions listed in Exhibit 1, of the approved Conditional Use Permit.
5. That the applicant shall comply with all other City/County regulations as it relates to zoning, parking, landscaping, school concurrency and utilities.
6. Density bonuses - Pursuant to Sect 4-204 the applicant shall be granted additional bonus density through conditional use based on the project incorporating all the following elements:



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING APPROVAL OF THE CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING FIFTY-EIGHT (58) BONUS UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT PRIMARY RESIDENTIAL POOL OF TWO THOUSAND TWO HUNDRED (2,200) FLOATING RESIDENTIAL UNITS FOR A PROPOSED DEVELOPMENT GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF NORTHEAST 135TH STREET AND NORTHEAST 6TH AVENUE, SITUATED WITHIN THE NRO DISTRICT, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, on December 11, 2007, the Mayor and City Council of the City of North Miami ("City"), adopted the City's Comprehensive Plan ("Comprehensive Plan"), consistent with the requirements of Chapter 163, Florida Statutes; and

**WHEREAS**, Policy 1.12.1 of the Comprehensive Plan established a pool of five thousand (5,000) floating residential units for development, as follows: two thousand two hundred (2,200) floating residential units for use within the Neighborhood Redevelopment Overlay ("NRO") District ("Primary Pool"); one thousand eight hundred (1,800) floating residential units for the Central City District; and a secondary pool of one thousand (1,000) floating residential units for development outside the NRO District; and

**WHEREAS**, Article 4, Section 4-204 of the City Land Development Regulations ("LDRs"), provides that requests for residential density bonuses may be granted through a Conditional Use Permit approved by the Mayor and City Council, in accordance with Section 3-401 and Section 4-405 of the LDRs; and

**WHEREAS**, Pinnacle Housing Group, LLC ("Applicant"), has been retained by Conestoga Holdings, LLC, the owner of a 1.65 acre site containing six (6) contiguous and abutting lots, generally located on the Northwest corner of the intersection of Northeast 135<sup>th</sup>



Street and Northeast 6<sup>th</sup> Avenue, as specifically identified by Miami-Dade County tax folio numbers: 06-2219-004-0010, 06-2219-004-0020, 06-2219-004-0120, 06-2219-004-0130, 06-2219-004-0140, and 06-2219-004-0150, (“Subject Property”); and

**WHEREAS**, the Subject Property is located within the NRO District and has an R-6 zoning designation, permitting a density of twenty five (25) dwelling units per acre, with a maximum height of one hundred ten feet (110’), allowing for up to forty-one (41) residential units as of right, for development on the Subject Property; and

**WHEREAS**, at 1.65 acres in size, with a frontage on two (2) streets and adjacent to a high density land use category, the Subject Property qualifies for a density of twenty-five (25) dwelling units as of right, plus an additional thirty-five (35) dwelling units per acre bonus density, for a maximum density of sixty (60) dwelling units per acre, which could yield a total of ninety-nine (99) residential units on the site; and

**WHEREAS**, the Applicant filed a Conditional Use Permit application with the City Community Planning & Development Department, requesting that the City allocate fifty-eight (58) additional bonus residential units from the existing Primary Pool of available units in order to construct a total of ninety-nine (99) residential units on the Subject Property; and

**WHEREAS**, the approval and transfer of fifty-eight (58) units from the Primary Pool will reduce the pool of unassigned units from two thousand two hundred (2,200) residential units, to two thousand one hundred forty-two (2,142) residential units; and

**WHEREAS**, City administration has reviewed the proposed request and found that it is consistent with Policy 1.12.1 of the Comprehensive Plan, and satisfies the requirements of Section 4-405 of the LDRs; and

**WHEREAS**, the Planning Commission, after a duly noticed public hearing held on January 6, 2015, reviewed the proposed request and found it in harmony with the goals, objectives and policies of the Comprehensive Plan, and recommended approval of the Conditional Use Permit to the Mayor and City Council, with the additional condition that the Applicant installs a sheltered bus bench at a designated location on 135<sup>th</sup> Street near the proposed development; and

**WHEREAS**, the Mayor and City Council have determined that the proposed bonus



request does not adversely affect the health, safety, and welfare of residents, and thereby, approve the Conditional Use Permit allocating the requested number of units from the Primary Pool, as being in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.**     **Approval of Conditional Use Permit.** The Mayor and City Council of the City of North Miami, Florida, hereby, authorize approval of the Conditional Use Permit, in substantially the attached form, transferring fifty-eight (58) bonus units from the Neighborhood Redevelopment Overlay (NRO) District primary residential pool of two thousand two hundred (2,200) floating residential units for a proposed development generally located on the Northwest corner of the intersection of Northeast 135<sup>th</sup> Street and Northeast 6<sup>th</sup> Avenue, situated within the NRO District, in accordance with Article 4, Section 4-405 of the City of North Miami Code of Ordinances, Land Development Regulations.

**Section 2.**     **Effective Date.** This resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_ day of January, 2015.

\_\_\_\_\_  
DR. SMITH JOSEPH  
MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
REGINE M. MONESTIME  
CITY ATTORNEY



SPONSORED BY: CITY ADMINISTRATION

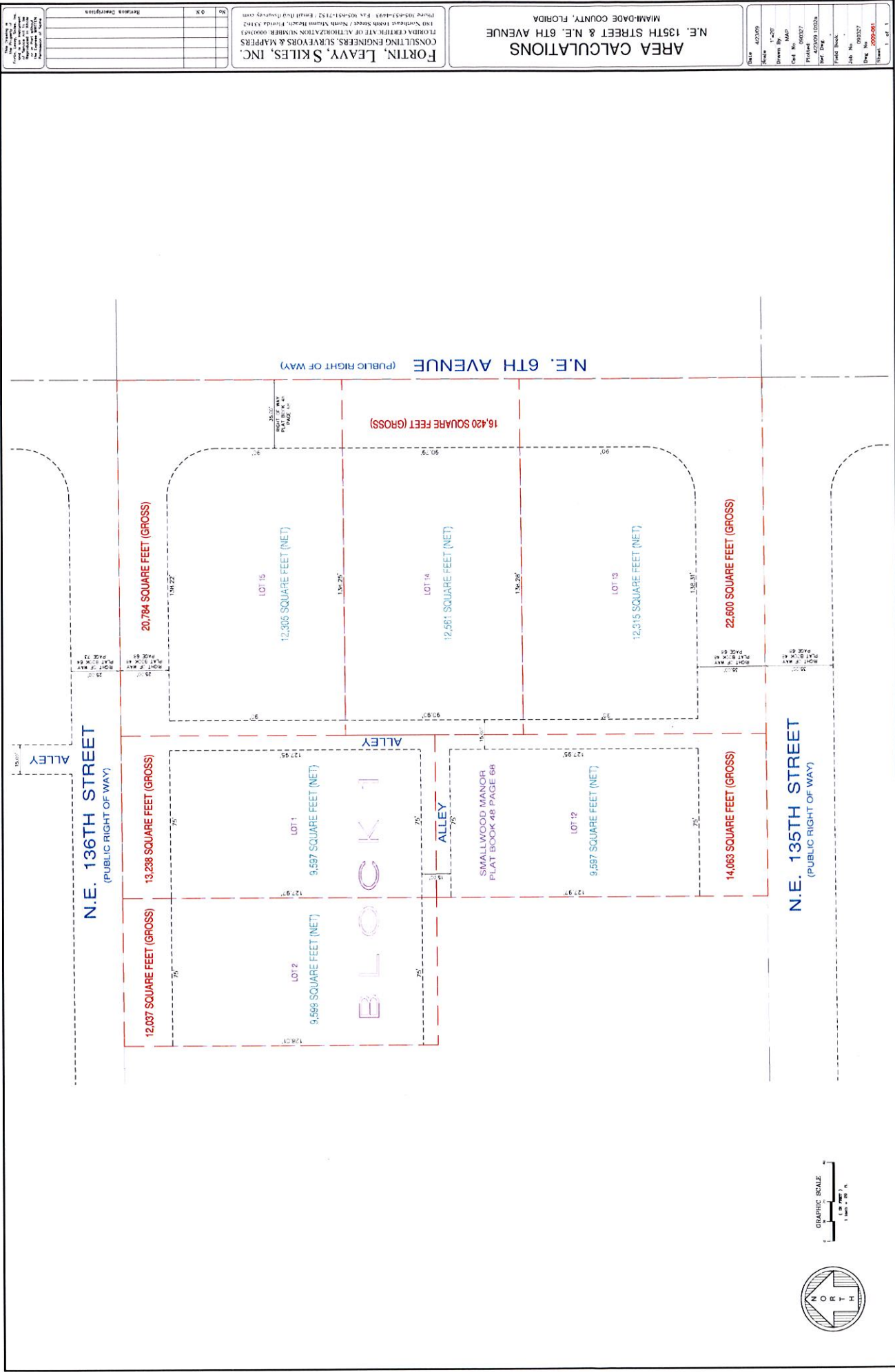
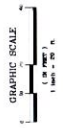
Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Mayor Smith Joseph, DO  
Vice Mayor Carol Keys, Esq.  
Councilperson Philippe Bien-Aime  
Councilperson Marie Erlande Steril  
Councilperson Scott Galvin

_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)



AREA CALCULATIONS  
N.E. 135TH STREET & N.E. 6TH AVENUE  
MIAMI-DADE COUNTY, FLORIDA

FORTIN, LEAVY, SKILES, INC.  
CONSULTING ENGINEERS, SURVEYORS & MAPPERS  
180 Southwest 108th Street, North Miami Beach, Florida 33162  
Phone: 305.455.1497 Fax: 305.451.7157 E-mail: info@leavy.com

No.	0.1
Scale	As Shown
Drawn By	MAP
Cell No.	980027
Printed	08/08/2008
Net Area	1,000,000
Field Book	
Job No.	980027
Dwg. No.	000001
Sheet	1 of 1

Revised: 08/08/2008  
By: [Signature]  
Check: [Signature]  
Date: 08/08/2008



## **EXHIBIT I**

### **CONDITIONAL USE PERMIT FOR PINNACLE HOUSING GROUP, LLC.**

**WHEREAS**, Conestoga Holdings, LLC owns the real property more particularly described in attached Exhibit "A", Survey Drawing of Property (the "Property"); and

**WHEREAS**, the Property is zoned R-6 and is 1.65 acres in size

**WHEREAS**, in accordance with Section 4-405 of the City's LDRS, the applicant, Pinnacle Housing Group, LLC., requests that in addition to the 41 permitted as of right units, the City grant Conditional Use Approval, for allocation of 58 additional bonus units from the established primary pool of floating units to create 99 multifamily units on site; and

**WHEREAS**, staff has reviewed the proposed application and finds that it complies with the requirements of Section 3-405 of the LDR; and

**WHEREAS**, on January 6<sup>th</sup>, 2015, the Planning Commission voted to recommend that the City Council grant Conditional Use Approval for the transfer of **58 bonus units** from the Neighborhood Redevelopment Overlay (NRO) primary residential pool of two thousand two hundred (2200) units ; and

**WHEREAS**, said transfer of **58** units from the "NRO primary residential pool of two thousand two hundred (2200) units would reduce the primary pool of units to Two Thousand One Hundred Forty-Two (**2142**) units; and

**WHEREAS**, on January 28, 2015, the City Council reviewed the request and determined that it is consistent with the intent of the City's Comprehensive Plan, allows for redevelopment of a currently vacant site and will further advance the public health, safety and welfare of the City.

**NOW, THEREFORE**, the City Council approves this Conditional Use Permit along with the following findings and conditions:

1. That the applicant shall consolidate all 6 lots in the proposed development through a unity of title. The applicant will also furnish a copy of the recorded document to the Director of Community Planning & Development once the instrument has been recorded with the County.
2. That the applicant submits final precise plans and applicable landscape plans to the City's Community Planning & Development Department, Development Review Committee (DRC) for review and approval prior to obtaining building permits.
3. That the applicant shall provide registration receipt from the United States Green Building Council (USGBC) showing intent to achieve LEED Silver designation prior to Council consideration.

4. That the applicant shall provide a copy of LEED Silver Certification from the USGBC to validate the proposed “green” elements of the development prior to obtaining final Certificate of Occupancy.
5. That the applicant shall record a Restrictive Covenant against the property for the purpose of maintaining the affordable/workforce housing for a term not less than twenty (20) years. The applicant shall also give first preference to North Miami residents by selecting clients from the City’s Housing Division’s current Neighborhood Stabilization Program (NSP) Rental Waiting list.
6. Comply with all other City/County regulations as it relates to zoning, parking, landscaping, school concurrency and utilities.
7. **Density bonuses** – the applicant shall be granted additional bonus density through conditional use based on the project incorporating all the following elements:

<b>Mandatory Elements</b>	<b>Density Bonus Earned</b>
<b>Green &amp; Sustainable:</b>	
Designed to meet LEED Gold or FGBC Rating –	25 du/ac
4 of 8 TOD Requirements	3 du/ac
<b>Optional Elements:</b>	
Affordable/Workforce Housing > 25% set aside	25 du/ac
<b>Total Overall Bonus Units Earned</b>	<b>58</b>
Note: Maximum Density with Bonus Allowed for Subject Site with frontage on 2 Streets and a size of 71,684 sq. ft. is 35 du/ac.	

9. A building permit shall be filed within one year of the date of the conditional use approval or the approval shall be null and void.



<b>Mandatory Elements</b>	<b>Density Bonus Earned</b>
<b>Green &amp; Sustainable:</b>	
Designed to meet LEED Gold or FGBC Rating –	25 du/ac
4 of 8 TOD Requirements	3 du/ac
<b>Optional Elements:</b>	
Affordable/Workforce Housing > 25% set aside	25 du/ac
<b>Total Overall Bonus Units Earned</b>	<b>58</b>
Note: Maximum Density with Bonus Allowed for Subject Site with frontage on 2 Streets and a size of 71,684 sq. ft. is 35 du/ac.	

NL

- Attachments:
1. Proposed Resolution
  2. Conditional Use Permit (Exhibit 1)
  3. Location Map & Survey
  4. Letter of intent

12,037 SQUARE FEET (GROSS)

12

1 OF WAY  
BOOK 48  
PAGE 15

(PUBLIC RIGHT OF WAY)

N.E. 6TH AVENUE

PROJECT DATA

UNITS	102
HEIGHT	7 FL
PARKING SPACES REQ.	102
PARKING SPACES PROVIDED	133
PARKING REDUCTION	10%
PARKING REDUCTION	5 SF

14,

REVISIONS / SUBMISSIONS

1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

0928

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREON  
CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF KOB  
KARP AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM  
WITHOUT THE EXPRESS WRITTEN CONSENT OF KOB KARP  
ARCHITECTURE & INTERIOR DESIGN, INC. AIA (A) 101-101

AFFORDABLE HOUSING

N.E. 135th Street  
North Miami, Florida

GROUND

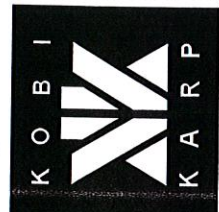
KOB KARP  
Lic. # AR0012578

ARCHITECTURE  
INTERIOR DESIGN  
PLANNING

AIA ASID NCARB

2915 Biscayne Boulevard  
Miami, Florida 33137  
O: 305.573.1818  
F: 305.573.3766

WWW.KOBKARP.COM



DRAWN BY: KKAID

CHECKED BY: KKAID

DATE:

A3.00





December 14<sup>th</sup>, 2014

Via E-mail

Nixon Lebrun  
Zoning Administrator  
City of North Miami  
12400 NE 8<sup>th</sup> Ave.  
North Miami, FL 33161

**RE: LOI for Conditional Use Permit**

Dear Mr. Lebrun:

Pinnacle Housing Group, on behalf of the owner of the vacant land located at the northwest corner of the intersection of NE 135<sup>th</sup> Street and NE 6<sup>th</sup> Ave., is seeking a Conditional Use Permit for a proposed development project. The development, to be called Verbena, will be comprised of no more than 99 units. The development will be multi-family rental, affordable housing units serving those in the community making 60% or less of the Area Median Income.

The proposed seven-story development will provide one, two, three and four bedroom units to families as well as a myriad of on-site amenities, including a fitness facility, computer lab and playground.

The site was previously submitted for, and received, a Conditional Use Permit allowing up to 90 units per acre. However, the development size was slightly over two acres when the application was submitted. The previous permit has since expired, and the size of the proposed development site has been adjusted slightly to 1.646 acres. Therefore, Pinnacle Housing Group is reapplying on behalf of the owner.

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Based on the current R-6 zoning, the development is allowed a density of 25 units per acre by right. However, we are seeking density bonuses based on the following conditions:

- 1) Development will consist of 100% affordable housing units.
- 2) Development will be Florida Green Building Certified.

Based on density bonuses, and given the site's size (1.646 acres), the allowable density is then 60 units/acre or 99 total units. The applicant therefore seeks approval of a Conditional Use Permit and the allocation of 58 additional bonus residential units from the existing Primary Pool of available units in order to construct up to 99 multifamily units on the Subject Property.

Sincerely,

David O. Deutch  
Partner  
Pinnacle Housing Group

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